



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/22/01)
**Do NOT use for expedited
rule making**

Agency: **Department of Financial Institutions**

- ☒ Preproposal Statement of Inquiry was filed as WSR 03-23-121 ; or
☐ Expedited Rule Making -- Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice
to WSR _____
☐ Continuance of WSR _____

(a) Title of rule: (Describe Subject) Escrow Agent Registration Act, RCW 18.44. Examination and investigation fees and expenses – Authority to retain specialists.

Purpose: Amend WAC 208-680G-050 to implement RCW 18.44.121(5), which states that director “shall charge...an hourly audit fee.” The amendment would clarify that both in-state and out-of-state escrow agents may be charged for examinations and investigations and provides detail of examination and investigation expenses. Upon adoption of this amendment, DFI plans to begin charging a hourly fee for its examinations.

Other identifying information:

(b) Statutory authority for adoption: **RCW 18.44.121, .410**

Statute being implemented: RCW 18.44.121

(c) Summary: See Attached

Reasons supporting proposal: See Attached

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Andrew Ledbetter	150 Israel Road SW, Olympia WA 98501	360-902-8760
2. Implementation..... Helen P. Howell	150 Israel Road SW, Olympia WA 98501	360-902-8760
3. Enforcement..... Martin Cordell	150 Israel Road SW, Olympia WA 98501	360-902-8760

(e) Name of proponent (person or organization): Department of Financial Institutions, Securities Division

☐ Private
☐ Public
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
None

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT Citation:
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

(h) HEARING LOCATION:
Department of Financial Institutions
Boardroom
150 Israel Road SW
Olympia WA 98501

Date: October 26, 2004 Time: 9:00 am

Assistance for persons with disabilities: Contact
Darlene Christianson by October 21, 2004

TDD (360) 664-8126 or (360) 902-8760

Submit written comments to:

Andrew Ledbetter
Securities Division
P.O. Box 9033
Olympia WA 98507-9033
FAX (360) 704-6970 By (date) October 19, 2004
E-mail: aledbetter@dfi.wa.gov

DATE OF INTENDED ADOPTION: October 27, 2004

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Helen P. Howell

SIGNATURE

TITLE

Director

DATE

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

See Attached

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

See Attached

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

Kelli Skeels

Department of Financial Institutions, Securities Division

P.O. Box 9033

Olympia WA 98507-9033

A copy is also available at <http://www.dfi.wa.gov/sd/rulechanges.htm>

telephoning: (360) 902-8774

faxing: (360) 704-6974

☐ No. Explain why no statement was prepared

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain: *The Department of Financial Institutions is not one of the agencies listed in RCW 34.05.328.*